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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,148	10/23/2001	Shell S. Simpson	10008248-1	7864

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

POKRZYWA, JOSEPH R

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 07/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/033,148

Applicant(s)

SIMPSON ET AL.

Examiner

Joseph R. Pokrzywa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 11,13-18 and 24-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11,13-18 and 24-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment was received on 4/27/06, and has been entered and made of record. Currently, **claims 11, 13-18, and 24-27** are pending.

### *Response to Arguments*

2. Applicant's arguments filed 4/27/06 have been fully considered but they are not persuasive.

3. In response to applicant's arguments regarding the rejection of **claim 11**, which was cited in the Office action dated 2/1/06, under 35 U.S.C. 102(e) as being anticipated by Nozawa (U.S. Patent Number 6,781,709), whereby applicant argues on pages 5 and 6 that Nozawa fails to teach of a printer that can provide a client with a program to clients that enables the client to both use the printer to print a document and to display the identity of the output tray that prints the document. The examiner notes that currently the claim is not specifying that the program sent to the client includes instructions for using a specific printer, and instructions for displaying an indicator, but rather only requires of "enabling the client" to perform these functions. Thus, the instructions sent to the client computer from the printer do not have to be instructions that control the client's processing, but rather just enable the client computer to perform these functions. As seen in Figs. 1, 7, and 8, these functions are performed by the client computer 16, which is enabled by information received from the printer in steps S150 and S160. Further, as read in column 12, lines 46-65, Nozawa states that "The information regarding the current conditions of

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the printer here include ...information ser on the control panel in the printer. The printers 110 and 120 have the function of detecting the current conditions of the printer...and control instructions given to the printer engine. The computer receives the information regarding such conditions of the printer through the processing of steps S150 and S160.” Thus, the computer is receiving information that includes control instructions of the printer. These can be interpreted as a “program of computer readable instructions”. Further, as seen in Fig. 1 and 7, the client computer 16 is requesting information from one of printers 110 or 120. With this, the printers 110 or 120 can be interpreted as being a server.

4. Therefore, the rejection of **claim 11**, as cited in the Office action dated 2/1/06 as being anticipated by under 35 U.S.C. 102(e) as being anticipated by Nozawa, is maintained and repeated in this Office action. Similarly, for the same reasons discussed above, the rejection of **claim 24**, as cited in the Office action dated 2/1/06 as being anticipated by under 35 U.S.C. 102(e) as being anticipated by Nozawa, is also maintained and repeated in this Office action

***Claim Rejections - 35 USC § 101***

5. The rejection of **claims 11 and 24** under 35 U.S.C. 101, which were cited in the Office action dated 2/1/06, as having non-statutory subject matter, is withdrawn. The examiner notes that because the program is included in an otherwise statutory manufacture or machine in each of the claims, the claims remain statutory, irrespective of the fact that a computer program is included.

***Claim Rejections - 35 USC § 102***

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. **Claims 11, 13-18, and 24-27-27** are rejected under 35 U.S.C. 102(e) as being anticipated by Nozawa (U.S. Patent Number 6,781,709, cited in the Office action dated 2/1/06).

Regarding **claim 11**, Nozawa discloses a server (see Figs. 1-3), comprising means for receiving a request from a client (column 8, line 3-column 9, line 3), means for responding to the request by transmitting a program of computer readable instructions to the client (column 8, line 3-column 9, line 3, and column 12, lines 46-65), the program for enabling the client to use a specific printer having a plurality of output trays to print a document (column 8, line 25-column 9, line 65), and display an indicator that indicates the identity of an output tray from the plurality of output trays that receives the document (see Figs. 3, 18 and 19, column 9, line 66-column 10, line 65, and column 19, lines 19-51), wherein the server is the printer (see, Figs. 1 and 7, and column 8, line 14-column 9, line 48, and column 12, lines 46-65).

Regarding **claim 13**, Nozawa discloses the server discussed above in claim 11, and further teaches that the indicator includes an image of the printer (see Figs. 3-19).

Regarding **claim 14**, Nozawa discloses the server discussed above in claim 11, and further teaches that the indicator includes an image of the output tray that is receiving the document (see Figs. 18 and 19, column 19, lines 20-51).

Regarding **claim 15**, Nozawa discloses the server discussed above in claim 11, and further teaches that the client is a personal computer connected to the server over a network (column 8, line 14-column 9, line 48).

Regarding **claim 16**, Nozawa discloses the server discussed above in claim 11, and further teaches that the indicator further indicates the present capacity of the output tray that is receiving the document to accept additional media (see Figs.10, 12, 14, and 19, column 15, line 28-column 16, line 31, and column 19, lines 19-51).

Regarding **claim 17**, Nozawa discloses the server discussed above in claim 11, and further teaches that the indicator includes an animated image of the printer (see Fig. 19, and column 19, lines 19-51).

Regarding **claim 18**, Nozawa discloses the server discussed above in claim 11, and further teaches that the program is Web content (column 7, line 40-column 9, line 34).

Regarding **claim 24**, Nozawa discloses a printer having a plurality of output trays (see Fig. 3), comprising apparatus for responding to a request received from a client by transmitting a program of computer readable instructions to the client (column 8, line 3-column 9, line 3), the program for enabling the client to use the printer to print a document (column 8, line 25-column 9, line 65), and display an indicator that indicates an output tray from the plurality of output trays that receives the document (see Figs. 3, 18 and 19, column 9, line 66-column 10, line 65, and column 19, lines 19-51).

Regarding **claim 25**, Nozawa discloses the printer discussed above in claim 24, and further teaches that the indicator includes an image of the printer (see Figs.10, 12, 14, and 19, column 15, line 28-column 16, line 31, and column 19, lines 19-51).

Regarding **claim 26**, Nozawa discloses the printer discussed above in claim 24, and further teaches that the program is further for enabling the client to inform a user the present

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capacity of the output tray receiving the document (see Figs.10, 12, 14, and 19, column 15, line 28-column 16, line 31, and column 19, lines 19-51).

Regarding *claim 27*, Nozawa discloses the printer discussed above in claim 24, and further teaches that the indicator includes an animated image of the printer (see Figs. 18 and 19, and column 19, lines 19-51).

### ***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The examiner can normally be reached on Monday-Friday, 9:00-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Joseph R. Pokrzywa  
Primary Examiner  
Art Unit 2625

jrp



**JOSEPH R. POKRZYWA**  
**PRIMARY EXAMINER**